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FROM: DAVID W. OSBORNE

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OUR DOCKET NO.: 01235-23625

RELEASE

SUBJECT: AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.117AND STATEMENT OF THE SUBSTANCE OF THE INTERVIEW UNDER 1.133(b)

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

Attached please find an Amendment under 37 C.F.R. §1.117 & 1.133(b) for Docket No. 01235-23625, Application No. 10/700,838.

Thank you. We await your confirmation of receipt.

Respectfully submitted,

Ďavid W. Osborne

THORPE NORTH & WESTERN, LLP

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PTO/SB/21 (04-07) FEB 1 1 2008 Approved for use through 09/30/2007. OMB 0651-0031 U.S. Patient and Trademark Office; U.S. DEPARTMENT OF COMMERCE a collection of information unless it displays a valid OMB control number. Under the Panerwork Reduction Act of 1995, no persons **Application Number** 10/700,838 Filing Date TRANSMITTAL 11/3/2003 First Named Inventor David Fikstad FORM Art Unit 1614 Examiner Name Royds, Leslie (to be used for all correspondence after initial filing) Attorney Docket Number 01235-23625 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC **|** (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Return Postcard Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Remarks **Certified Copy of Priority** Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Thorpe North & Western/, LLP Signature Printed name ขีลvid W. Osbome Reg. No. Date 44989 2008 11 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandris, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

2/11/2008

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Judy Anderson

Typed or printed name

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF David Fikstad APPLICANT: TRANSMISSION UNDER 37 C.F.R. § 1.8 SERIAL NO.: 10/700,838 certify that this hereby correspondence is being facsimile FILING DATE: 11/03/2003 transmitted or deposited with the United States Postal Service as First FOR: **PHARMACEUTICAL** Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Mail Stop COMPOSITIONS WITH SYNCHRONIZED Commissioner Amendment, SOLUBILIZER RELEASE Patents, P.O. Box 1450, Alexandria, VA 22313-1450. ART UNIT: 1614 Judy Anderson **EXAMINER:** Leslie Royds DOCKET NO .: 01235-23625 Date of Deposit

THORPE NORTH & WESTERN, LLP 8180 South 700 East, Suite 200 Sandy, Utah 84070

### AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.117 AND STATEMENT OF THE SUBSTANCE OF THE INTERVIEW UNDER 1.133(b)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed January 28, 2008, please enter this amendment, and reconsider this application in view of the remarks provided below.